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FILE NO: 084181.47

January 13, 2022

VIA ECF

The Honorable Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: In re Ditech Holding Corporation, Case No. 21-cv-10038-LAK

Dear Judge Kaplan,

This Firm represents Finance of America Reverse LLC, the appellant (“Appellant”) in the above-referenced bankruptcy appeal. The purpose of this letter is to request (i) clarification on the length limitation for the parties’ briefs, and (ii) leave to file a principal brief exceeding the length limitations set forth in the Court’s Individual Rules of Practice by five pages.

Federal Rule of Bankruptcy Procedure 8015(a)(7)(B) provides a “type-volume limitation” of 13,000 words for principal briefs and 6,500 words for reply briefs, as an alternative to a page limit, with Federal Rule of Bankruptcy Procedure 8015(a)(5) requiring that proportionally spaced fonts be 14-point or larger. However the Court’s Individual Rules of Practice provide that the 35-page limit which applies to memoranda of law in non-bankruptcy-related cases, and 10-page limit which applies to reply memoranda, also apply in bankruptcy appeals, with Local Civil Rule 11.1 providing that text be in 12-point type or larger.

Appellant respectfully requests clarification that the Court will accept an opening brief in 12-point type. Appellant further requests leave to file a principal brief of up to 40 pages, which Appellant submits may be necessary to fully address the issues in this case, provided that Appellant will not exceed the word limitation in Federal Rule of Bankruptcy Procedure 8015.

Addressing a similar request, the Court permitted opening and responding briefs not to exceed 40 double-spaced pages in 12-point type, with reply briefs not exceeding 17 pages in similar form. *See In re Transcare Corporation*, Case No. 20-cv-06274-LAK (S.D.N.Y. Sept. 17, 2020) [ECF No. 8].



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Thank you for your consideration of this request.

Respectfully submitted,

/s/ Robert A. Rich

Robert A. Rich

cc: All counsel of record (via ECF)